



**AMENDMENT TO H.R. 1851, AS REPORTED  
OFFERED BY MR. NEUGEBAUER OF TEXAS**

Page 107, after line 9, insert the following new section:

1 **SEC. 19. PUBLIC HOUSING AGENCY PLANS FOR CERTAIN**  
2 **QUALIFIED PUBLIC HOUSING AGENCIES.**

3 (a) IN GENERAL.—Section 5A(b) of the United  
4 States Housing Act of 1937 (42 U.S.C. 1437c–1(b)) is  
5 amended by adding at the end the following:

6 “(3) EXEMPTION OF CERTAIN PHAS FROM FIL-  
7 ING REQUIREMENT.—

8 “(A) IN GENERAL.—Notwithstanding para-  
9 graph (1) or any other provision of this Act—

10 “(i) the requirement under paragraph  
11 (1) shall not apply to any qualified public  
12 housing agency; and

13 “(ii) except as provided in subsection  
14 (e)(4)(B), any reference in this section or  
15 any other provision of law to a ‘public  
16 housing agency’ shall not be considered to  
17 refer to any qualified public housing agen-  
18 cy, to the extent such reference applies to  
19 the requirement to submit an annual pub-

1           lic housing agency plan under this sub-  
2           section.

3           “(B) CIVIL RIGHTS CERTIFICATION.—Not-  
4           withstanding that qualified public housing agen-  
5           cies are exempt under subparagraph (A) from  
6           the requirement under this section to prepare  
7           and submit an annual public housing plan, each  
8           qualified public housing agency shall, on an an-  
9           nual basis, make the certification described in  
10          paragraph (16) of subsection (d), except that  
11          for purposes of such qualified public housing  
12          agencies, such paragraph shall be applied by  
13          substituting ‘the public housing program of the  
14          agency’ for ‘the public housing agency plan’.

15          “(C) DEFINITION.—For purposes of this  
16          section, the term ‘qualified public housing agen-  
17          cy’ means a public housing agency that—

18               “(i) administers—

19                   “(I) 250 or fewer public housing  
20                   dwelling units; or

21                   “(II) any number of vouchers  
22                   under section 8(o) of the United  
23                   States Housing Act of 1937 (42  
24                   U.S.C. 1437f(o)); and

1 “(ii) is not designated under section  
2 6(j)(2) as a troubled public housing agen-  
3 cy.”.

4 (b) RESIDENT PARTICIPATION.—Section 5A of the  
5 United States Housing Act of 1937 (42 U.S.C. 1437c–  
6 1) is amended—

7 (1) in subsection (e), by inserting after para-  
8 graph (3) (relating to waiver) the following:

9 “(4) QUALIFIED PUBLIC HOUSING AGENCIES.—

10 “(A) IN GENERAL.—Except as provided in  
11 subparagraph (B), nothing in this section may  
12 be construed to exempt a qualified public hous-  
13 ing agency from the requirement under para-  
14 graph (1) to establish 1 or more resident advi-  
15 sory boards. Notwithstanding that qualified  
16 public housing agencies are exempt under sub-  
17 section (b)(3)(A) from the requirement under  
18 this section to prepare and submit an annual  
19 public housing plan, each qualified public hous-  
20 ing agency shall consult with, and consider the  
21 recommendations of the resident advisory  
22 boards for the agency, at the annual public  
23 hearing required under subsection (f)(5), re-  
24 garding any changes to the goals, objectives,  
25 and policies of that agency.

1           “(B) APPLICABILITY OF WAIVER AUTHOR-  
2           ITY.—Paragraph (3) shall apply to qualified  
3           public housing agencies, except that for pur-  
4           poses of such qualified public housing agencies,  
5           subparagraph (B) of such paragraph shall be  
6           applied by substituting ‘the functions described  
7           in the second sentence of paragraph (4)(A)’ for  
8           ‘the functions described in paragraph (2)’.

9           “(f) PUBLIC HEARINGS.—”; and

10           (2) in subsection (f) (as so designated by the  
11           amendment made by paragraph (1)), by adding at  
12           the end the following:

13           “(5) QUALIFIED PUBLIC HOUSING AGENCIES.—

14           “(A) REQUIREMENT.—Notwithstanding  
15           that qualified public housing agencies are ex-  
16           empt under subsection (b)(3)(A) from the re-  
17           quirement under this section to conduct a pub-  
18           lic hearing regarding the annual public housing  
19           plan of the agency, each qualified public hous-  
20           ing agency shall annually conduct a public hear-  
21           ing—

22           “(i) to discuss any changes to the  
23           goals, objectives, and policies of the agen-  
24           cy; and

1                   “(ii) to invite public comment regard-  
2                   ing such changes.

3                   “(B) AVAILABILITY OF INFORMATION AND  
4                   NOTICE.—Not later than 45 days before the  
5                   date of any hearing described in subparagraph  
6                   (A), a qualified public housing agency shall—

7                   “(i) make all information relevant to  
8                   the hearing and any determinations of the  
9                   agency regarding changes to the goals, ob-  
10                  jectives, and policies of the agency to be  
11                  considered at the hearing available for in-  
12                  spection by the public at the principal of-  
13                  fice of the public housing agency during  
14                  normal business hours; and

15                  “(ii) publish a notice informing the  
16                  public that—

17                         “(I) the information is available  
18                         as required under clause (i); and

19                         “(II) a public hearing under sub-  
20                         paragraph (A) will be conducted.”